

## Introduced by Senator Margett

February 24, 2006

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An act to amend Section 89500 of the Education Code, relating to the California State University.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1790, as introduced, Margett. California State University: personnel.

Existing law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state. Existing law authorizes the trustees to provide, by rule, for the government of their appointees and employees with respect to prescribed terms and conditions of employment, except as would conflict with the provisions of a memorandum of understanding reached pursuant to the Higher Education Employer-Employee Relations Act, as specified.

This bill would make technical, nonsubstantive changes in this provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 89500 of the Education Code is
- 2 amended to read:
- 3 89500. (a) (1) Notwithstanding any other provision of law,
- 4 the trustees shall provide, by ~~rule~~ *regulation*, for the government
- 5 of their appointees and employees, pursuant to this chapter and
- 6 other applicable provisions of law, including, but not *necessarily*

1 limited to: appointment; classification; terms; duties; pay and  
2 overtime pay; uniform and equipment allowances; travel  
3 expenses and allowances; rates for housing and lodging; moving  
4 expenses; leave of absence; tenure; vacation; holidays; layoff;  
5 dismissal; demotion; suspension; sick leave; reinstatement; and  
6 employer's contribution to employees', annuitants', and  
7 survivors' health benefits plans.

8 (2) The ~~rules~~ *regulations* adopted by the trustees relating to  
9 tenure, layoff, dismissal, demotion, suspension, and  
10 reinstatement of academic and administrative employees shall be  
11 adopted on or before February 1, 1962, and become effective on  
12 July 1, 1962, with respect to employees who are academic  
13 teaching and administrative employees as defined in subdivision  
14 (1)(e) of Section 24301, as it read on June 30, 1961, as enacted  
15 by Chapter 2 of the Statutes of 1959.

16 (b) The adoption of ~~these rules and~~ regulations *under this*  
17 *section* shall not be subject to Chapter 3.5 (commencing with  
18 Section 11340) of Part 1 of Division 3 of Title 2 of the  
19 Government Code.

20 (c) If the provisions of this section are in conflict with the  
21 provisions of a memorandum of understanding reached pursuant  
22 to Chapter 12 (commencing with Section 3560) of Division 4 of  
23 Title 1 of the Government Code, the memorandum of  
24 understanding shall be controlling without further legislative  
25 action, except that, if the provisions of a memorandum of  
26 understanding require the expenditure of funds, the provisions  
27 shall not become effective unless approved by the Legislature in  
28 the annual Budget Act.